

REMARKS/ARGUMENTS

Applicants request the Examiner to reconsider this application in view of the amendments and the following remarks. Claims 1-37 have been amended hereby, and claims 38-44 have been added. Claims 1-44 are pending examination.

Claims 2-13, 15-24, 26-35 and 37 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Applicant notes that the antecedent basis issues alleged with respect to these claims, which were also the foundation for this rejection, have been corrected. As such, Applicant respectfully requests withdrawal of this rejection.

Claims 1-37 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Itou (U.S. Pat. 6,439,998) in view of Nakatani et al (U.S. 5,720,663).

Independent Claims 1, 14 and 25 recite, among other things, "one or more second storage locations for storing one or more operation timing patterns indicative of player timings to be input in association with each enemy" or a similar element. This timing pattern is a pattern corresponding to each enemy that is displayed when a player controlled character encounters an enemy. Further, this pattern provides a rhythmic attack pattern for attacking that enemy. Thus, on the basis of a particular enemy, the character is provided with attack instructions.

Neither Itou nor Nakatani, independently or in conjunction, teach this claim element. Itou teaches a timer, displayed to show how long a character must wait to take an action, wherein the timer length varies based on a particular character.

However, this timing is associated with a player controlled character (i.e., how long the player character must wait), not an enemy character. Although the enemy character also has an associated timer, the player is not provided with any instruction with respect to the enemy timer. In fact, it is not even apparent that the player can see the enemy timer in a fight, let alone be provided with input instructions based on an operation timing pattern stored with respect to that enemy.

Nakatani teaches an arcade fighting game. Each character in the game has attack patterns associated with them. Nakatani teaches new game characters that respond differently to inputs (col. 12, lines 15-35). Nothing in Nakatani, however, teaches anything about operation timing patterns based on enemies.

Additionally, claims 1, 14 and 25 recite, among other things, "input pattern changing programmed logic circuitry for displaying, when the battle scene is displayed, an input pattern and changing a displaying manner of said input pattern on the basis of one of the one or more operation timing patterns associated with the enemy appearing in said battle scene stored in said one or more second storage locations..." or similar language. Thus, Applicant has claimed, for example, displaying a different set of attack instructions based on a pattern associated with an enemy.

None of the prior art teaches instruction operations based on enemies being fought. Even if the different enemies of Ito have different attack times associated with them, those times are not input patterns.

For at least these reasons, Applicant submits that claims 1, 14 and 25 are allowable over the prior art of record. Claims 2-13, 15-24, and 26-35 should be allowable based at least on their dependency from allowable claims 1, 14 and 25.

Finally, independent claim 36 recites, *inter alia*, "changing value calculating programmed logic circuitry for calculating a changing value for changing the parameter of the enemy depending upon a degree of coincidence between the operation timing of said player at a time of being detected by said operation detecting programmed logic circuitry and the timing of the rhythm pattern of said background music corresponding to that time." Although the Office Action alleges that this teaching is present in Itou in Column 10, lines 44-51, Itou is actually silent as to an operation timing coinciding with a rhythm of a background music. Again, Nakatani does not cure this deficiency of Itou. Thus claim 36 should be allowable for at least this reason. Claim 37 should be allowable based at least on its dependency from allowable claim 36.

The newly added independent claim 44 recites features similar (but not necessarily identical) to those which distinguish the amended claims from the prior art, and thus should also be allowable for similar reasons. Newly added independent claim 38 requires, among other things, "at least one second storage location that stores timing frame numbers indicative of a plurality of timings at which a player is to make operations, rhythm patterns corresponding to the timings, and music data including information of the rhythm patterns, in association with respective enemy characters." Newly added independent claim 43 requires a similar feature.

Applicants have also amended their title to make it more descriptive, and have amended their specification to add headings and to correct minor grammatical and other wording issues. A proposed substitute specification is also attached.

All outstanding issues have been addressed. Should any issues remain outstanding, the Examiner should contact the undersigned at the telephone number

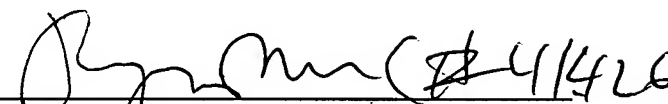
ITOI et al.
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listed below so they can be resolved expeditiously without need of a further written
action.

Respectfully submitted,

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By: _____


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